

Patent Docket No. FORE-107

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kevin Nolish, Drew Anderson and Keith Arner
Application No.: 10/782,217 Group No.: 2113
Filed: 02/19/2004 Examiner: Elmira Mehrmanesh
For: METHOD, APPARATUS AND SOFTWARE FOR PREVENTING SWITCH FAILURES IN THE
PRESENCE OF FAULTS

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"
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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date: 10/12/07

Tracey L. Klaas
Signature

Tracey L. Klaas

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

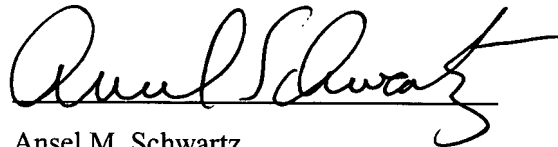
| | (Col. 1) | (Col. 2) | (Col. 3) | OTHER THAN A SMALL ENTITY | | | |
|--|---|--------------------------------------|------------------|---------------------------|---------------|--|------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | | |
| TOTAL | 18 | – 20 | = 0 | x \$ 50.00 | = \$ | | 0.00 |
| INDEP. | 3 | – 3 | = 0 | x \$ 210.00 | = \$ | | 0.00 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | + \$ 0.00 | = \$ | | 0.00 |
| | | | | TOTAL ADDIT. FEE | \$ | | 0.00 |

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-0737.

If an additional fee for claims is required, charge Account No. 19-0737.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KEVIN NOLISH, ET AL.

Serial No. 10/782,217

Filed: February 19, 2004

Art Unit: 2113

Patent Examiner:

Elmira Mehrmanesh

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**METHOD, APPARATUS AND
SOFTWARE FOR PREVENTING
SWITCH FAILURES IN THE
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Pittsburgh, Pennsylvania 15213

October 12, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING
I hereby certify that this correspondence
is being deposited with the U.S. Postal
Service as first class mail in an envelope
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P.O. Box 1460, Alexandria, VA 22313-
1460 on 10/12/07
Arnold M. Schwartz
Arnold M. Schwartz
Registration No. 30,587

AMENDMENT UNDER RULE 116

In response to the Office Action dated July 13, 2007, please enter the following amendments to the above-identified application as follows.